

United States of America
Plaintiff,

Hang M. Nguyen,

In Re Violation Notice No. 6932952
Issued November 5, 2017
Hearing Date: January 3, 2018

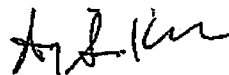
In an effort to seek a continuance of the hearing date set for January 3, 2018, the undersigned attorney called the Court and spoke to Ms. Marquez in the Clerk's office, on December 28, 2017. Ms. Marquez informed that a written Motion for Continuance on behalf of the Defendant would be required, resulting in this filing. This is the first such request, and is made due to the undersigned's partial unavailability on January 3rd.

Ms. Marquez also informed the undersigned that the Court has no record at all of the captioned Violation Notice. A photograph of the notice was forwarded to Ms. Marquez for her to confirm this fact. Given this fact, Defendant further moves to dismiss the case for failure to prosecute. An oral Motion seeking dismissal would certainly be granted under these circumstances, should Defendant have simply waited until the hearing and found the Government unable to prosecute at that time, and there appears to be no reason for a different outcome simply because Defendant has made the Motion a few days early upon learning of the disability. If the Violation Notice has not made it into the Court's records (since November 5th) as of December 28th, it stands to reason that it is not going to appear by January 3rd either, given the intervening weekend and holiday.

Therefore, Defendants pray that the Motion for Dismissal be granted, or, if such Motion is not granted, for a continuance to a later date convenient to the Court.

Dated: December 29, 2017

Respectfully submitted,



By: _____
Counsel for Hang Nguyen

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